S.B. CIVIL WRIT PETITION NO.3696/2007
Mahaveer Prasad
vs
District Establishment Committee & Anr.

DATE OF ORDER : - 26.7.2007

HON'BLE MR.PRAKASH TATIA,J.

Mr.PS Bhati, for the petitioner.

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Heard learned counsel for the petitioner.

Petitioner's services were terminated by the order dated 15th Sept., 1995, copy of which has been placed on record as Annex.5. The petitioner's services were terminated on the ground that he submitted forged residence certificate. The petitioner's appeal was dismissed on 25th May, 2000, copy of this order has been placed on record as Annex.6. According to petitioner, he submitted several representations and got the matter inquired from various officers and those officers opined that petitioner's residence certificate was not forged one.

The petitioner, therefore, by filing the present writ petition in the month of June, 2007 wants to challenge the order passed by the department dated 15th Sept., 1995 and 25th May, 2000. It appears that petitioner also filed a writ petition being S.B. Civil Writ Petition No.3827/1995, which was dismissed on the ground of availability of alternative remedy. The petitioner must have

challenged the order of competent authority i.e., the order dated 15th Sept., 1995. Be it as it may be, by making representation one after another cannot create any ground for extension of limitation for challenging the order which was passed seven years ago. Therefore, on the ground of delay alone, the writ petition deserves to be dismissed. The petitioner failed to explain how the matter was inquired again by the authorities when his services were already terminated long back.

Learned counsel for the petitioner submitted that even the authorities themselves suo motu inquired into the matter and submitted their reports and all those reports are in favour of the petitioner. Even if it is so, then what was the interest of those officers to inquire into the matter when petitioner was already terminated and appeal was dismissed and, thereafter, they suo motu started inquiry. Not only this, even the petitioner himself did not choose to challenge the orders for several years.

In view of the above, the writ petition of the petitioner is dismissed.

(PRAKASH TATIA), J.

c.p.goyal/-